

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEMAR RHOME,

Case No. C09-1366-JLR

Plaintiff,

ORDER

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AUDREY ANDERSON, *et al.*,

Defendants.

Having considered the application to proceed *in forma pauperis* (IFP) (Dkt. 4) and the proposed 42 U.S.C. § 1983 complaint (Dkt. 1), the Report and Recommendation of the Honorable Brian A. Tsuchida, and the balance of the record, the Court hereby ORDERS:

- (1) The Report and Recommendation is adopted.
- (2) The application to proceed IFP (Dkt. 4) is denied.
- (3) The proposed civil rights action (Dkt. 1) is dismissed without prejudice.
- (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge Tsuchida.

DATED this 1st day of December, 2009.

JAMES L. ROBART
United States District Judge

**ORDER
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